

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

BOYD SMITH, NANCY SMITH,)	
JOEY SMITH, JEFFREY SMITH,)	
JILL SMITH, BESSIE HACKNEY,)	
WILLIAM GRAY, PEGGY GRAY,)	
and GREGORY HOUSTON,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:04-CV-591
)	(JARVIS/GUYTON)
FIRST CENTURY BANK,)	
CONNIE DYER, SHERI LAWSON,)	
and DELORIS GRAVES,)	
)	
Defendants.)	<i>Consolidated</i>

ERNEST NICELY and)	
PATRICIA NICELY,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:05-CV-175
)	
FIRST CENTURY BANK,)	
CONNIE DYER, SHERI LAWSON,)	
and DELORIS GRAVES,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case came before the undersigned on November 3, 2005 for a status and scheduling conference, and for a hearing on four Motions [Docs. 81, 86, 89 and 91] to modify the Scheduling Order. Counsel for all parties in the case were present, and all parties agreed that the

trial date of January 24, 2006 should be continued for at least six months and that the Scheduling Order should be modified accordingly.

Therefore, the Court finds that the Motions to modify the Scheduling Order [Docs. 81, 86, 89 and 91] are well-taken and are **GRANTED**, and the Scheduling Order [Doc. 23] is hereby amended as follows:

(1) **Trial Date: November 7, 2006**

(2) **Motions in Limine: On or before November 2, 2006**

(3) **Special Requests to Instruct for Jury: On or before November 2, 2006**

(4) **Rule 26(a)(3) Pretrial Disclosures**, (except as to witnesses [see paragraph 5 below]): On or before **October 18, 2006**

(5) **Final Witness List under Rule 26(a)(3): On or before August 2, 2006**

(6) **Supplementation of Rule 26(a)(3) Final Witness List: Within five (5) days after service of list**

(7) **Dispositive Motions: On or before August 23, 2006**

(8) **Discovery Cut-off: August 11, 2006**

(9) **Expert Testimony: Disclosure of any expert testimony in accordance with Rule 26(a)(2) shall be made by the plaintiffs on or before July 19, 2006, and by the defendants on or before August 2, 2006**

10) **Daubert Motions: Motions seeking a Daubert hearing must be filed on or before September 6, 2006 or they will be deemed waived.**

A motion seeking extension of any deadline set forth in this Order shall be filed **prior to the expiration** of the deadline stated in this Order. Absent extraordinary or extenuating circumstances, motions filed after the expiration of the deadline shall be denied. Also, failure to

comply with this Order may result in the exclusion of damages, witnesses, exhibits, depositions, and/or videotapes from evidence at trial.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge